

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

9384-2557 QUÉBEC INC., a Canadian corporation; MINEDMAP, INC., a Nevada corporation; and SERENITY ALPHA, LLC, a Nevada limited liability, and other similarly situated individuals,

Plaintiffs,
-against-

NORTHWAY MINING, LLC, a New York limited liability company; MICHAEL MARANDA, an individual; MICHAEL CARTER, an individual; CSX4236 MOTORCYCLE SALVAGE, LLC, a New York limited liability company; DROR SVORAI, an individual; MINING POWER GROUP, INC., a Florida corporation; HUDSON DATA CENTER, INC, a New York Corporation, MICHAEL MARANDA, LLC, a New York Limited liability company; PORTER KING HILL CONTRACTING, LLC, COINMINT, LLC, a Delaware limited liability company,

Defendants.

**NOTICE OF MOTION TO
DISMISS**

Civ. Action No.: 1:19-CV-00501-
TJM-CFH

PLEASE TAKE NOTICE, that defendant MICHAEL CARTER, by and through his undersigned attorney, will move this Court for an Order granting the relief described below, at the time and place set forth below:

Moving Party: Defendant Michael Carter

Motion Directed To: Hon. Thomas J. McAvoy, District Court Judge

Motion Date: **SEPTEMBER 14, 2020** at 10:00 a.m., at the James T. Foley Courthouse, United States District Court for the Northern District of New York, 445 Broadway, Albany, N.Y. 12207

Relief Sought: Dismissal of the First Amended Complaint as against defendant Michael Carter pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and Local Rule 7.1(b), together with such other relief in favor of the Defendant as the Court deems just and proper

Supporting Papers: The papers offered in support of the motion are the Memorandum of Law in Support of the Motion to Dismiss filed herewith.

PLEASE TAKE FURTHER NOTICE, that pursuant to Local Rule 7.1(b), the party opposing the motion must file its opposition papers with the Court and serve them upon the undersigned not less than **seventeen (17) days prior** to the above-listed Motion Date. The defendant intends to serve and file reply papers.

Dated: Troy, New York
August 7, 2020

Respectfully submitted,

E. STEWART JONES HACKER MURPHY LLP

/s/ Benjamin F. Neidl
By: Benjamin F. Neidl
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